Montana Sage-grouse Council's Preliminary Draft Recommendations

July 12, 2013

These recommendations apply to sage-grouse Core Areas (mapped by Fish, Wildlife and Parks) and General Habitat (all other areas currently mapped as within the distribution of sage-grouse). Outside of the currently mapped distribution of sage-grouse, avoidance stipulations and mitigation are not required, however minimizing the removal of sagebrush is recommended.

THREAT CATEGORY	SUB-CATEGORY	FWP "STRAW DOG"				COUNCIL PRELIMINARY RECOMMENDATIONS								
		CORE AREA		GENERAL HABITAT		CORE AREA			IMPORTANT AREAS OF CONNECTIVITY			GENERAL SAGE-GROUSE HABITAT		
		Avoid[1]	Minimize	Avoid[1]	Minimize	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]
Human disturbance	Construction activities (seasonal restrictions)	March 1 – June 15 within 3.8 miles of active lek November 1 – February 29 in winter concentration areas	•		• Minimize activities within 3.8 miles of active lek between March 1 – June 15		•	•		•	•		•	•
	Noise		• Limit to 20-24 dBA measured at perimeter of lek from 6PM to 8AM between March 1 – May 15		• Minimize noise levels to reduce disturbance potential		•	•		•	•		•	•
Cumulative Impacts			• Limit cumulative surface disturbance to 3% of suitable sage-grouse habitat/640		• Limit cumulative surface disturbance to 5% of suitable sage-grouse habitat/ 640		•	•		•	•			•

THREAT CATEGORY	SUB-CATEGORY	FWP "STRAW DOG"				COUNCIL PRELIMINARY RECOMMENDATIONS								
		CORE AREA		GENERAL HABITAT		CORE AREA			IMPORTANT AREAS OF CONNECTIVITY			GENERAL SAGE-GROUSE HABITAT		
		Avoid[1]	**Minimize**	**Avoid[1]**	**Minimize**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**
			acres on average		acres on average									
Power Lines[3]	High Voltage (≥100 kV)	NSO of 3.8 miles around active leks	• Locate within 0.6 miles of existing linear features • Subject to surface disturbance cap of 3% of suitable sage-grouse habitat/640 acres	NSO of ≥1 mile around active leks	• Use existing corridors when possible • Subject to surface disturbance cap of 5% of suitable sage-grouse habitat/640 acres	Avoid or minimize/ mitigate	• Locate ≥ 4 miles from any active lek; • Topographic screening; • Remove duplicative or nonfunctional lines • Co-locate with roads, transmission lines, linear corridors	• Offsite with *high* mitigation ratio • Bury existing powerlines	Avoid or minimize/ mitigate	• Locate ≥ 4 miles from any active lek; • Remove duplicative or nonfunctional lines • Co-locate with roads, transmission lines, linear corridors	• Offsite with *moderate* mitigation ratio; • Bury existing powerlines.	Avoid or minimize/ mitigate	• Locate ≥ 4 miles from any active lek; • Co-locate with roads, transmission lines, linear corridors	• Offsite with *moderate* mitigation ratio; • Bury existing powerlines.
	Low Voltage (<100 kV)	NSO of 3.8 miles around active leks	• Locate within 0.6 miles of existing linear features • Bury lines when possible • Subject to surface disturbance cap of 3% of suitable sage-grouse habitat/640 acres	NSO of ≥1 mile around active leks	• Use existing corridors when possible • Bury lines when possible • Subject to surface disturbance cap of 5% of suitable sage-grouse habitat/640 acres	Avoid or minimize/ mitigate	• Install underground; or • Locate ≥ 4 miles from any active lek; • Co-locate with roads, transmission lines, linear corridors.		Avoid or minimize/ mitigate	• Co-locate with roads, transmission lines, linear corridors		Avoid or minimize/ mitigate	• Co-locate with roads, transmission lines, linear corridors	
	Service (<1,000 feet)	NSO of 3.8 miles around active leks	• Locate within 0.6 miles of	NSO of ≥1 mile around active leks	• Use existing corridors	Avoid or minimize/ mitigate	• Install underground; or		Avoid or minimize/ mitigate			Avoid or minimize/ mitigate		

THREAT CATEGORY	SUB-CATEGORY	FWP "STRAW DOG"				COUNCIL PRELIMINARY RECOMMENDATIONS								
		CORE AREA		GENERAL HABITAT		CORE AREA			IMPORTANT AREAS OF CONNECTIVITY			GENERAL SAGE-GROUSE HABITAT		
		Avoid[1]	Minimize	Avoid[1]	Minimize	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]
			existing linear features • Bury lines when possible		when possible • Bury lines when possible		• Locate ≥ 0.6 miles from any active lek. • Co-locate with roads, transmission lines, linear corridors							
Pipelines	Pipeline and associated compressor stations	NSO of 3.8 miles around active leks	• Locate within 0.6 miles of existing linear features • Subject to surface disturbance cap of 3% of suitable sage-grouse habitat/640 acres	NSO of ≥1 mile around active leks	• Use existing corridors when possible • Subject to surface disturbance cap of 5% of suitable sage-grouse habitat/640 acres	Avoid	• Bury pipelines; • Restore disturbed area with native species • Co-locate with roads, transmission lines, linear corridors	• Offsite with *high* mitigation ratio • Bury existing pipelines	Avoid	• Bury pipelines; • Restore disturbed area with native species • Co-locate with roads, transmission lines, linear corridors	• Offsite with *moderate* mitigation ratio • Bury existing pipelines		• Bury pipelines; • Restore disturbed area with native species • Co-locate with roads, transmission lines, linear corridors	• Offsite with *moderate* mitigation ratio • Bury existing pipelines
Communication towers		NSO of 3.8 miles around active leks	Subject to surface disturbance cap of 3% of suitable sage-grouse habitat/640 acres	NSO of ≥1 mile around active leks	Subject to surface disturbance cap of 5% of suitable sage-grouse habitat/640 acres	Avoid	• Locate ≥ 4 miles from active leks • Follow USFWS BMPs for tall structures	• Offsite with *high* mitigation ratio •	Avoid	• Locate ≥ 4 miles from active leks • Follow USFWS BMPs for tall structures	• Offsite with *moderate* mitigation ratio •		• Locate ≥ 4 miles from active leks • Follow USFWS BMPs for tall structures	• Offsite with *moderate* mitigation ratio •
Wind energy	Towers and associated distribution stations	Avoid		NSO of ≥1 mile around active leks	Subject to surface disturbance cap of 5% of suitable sage-	Avoid, but re-evaluate as new informatio	•	•	Avoid, but re-evaluate as new information becomes		•		• Locate ≥ 4 miles from active leks	•

THREAT CATEGORY	SUB-CATEGORY	FWP "STRAW DOG"				COUNCIL PRELIMINARY RECOMMENDATIONS								
		CORE AREA		GENERAL HABITAT		CORE AREA			IMPORTANT AREAS OF CONNECTIVITY			GENERAL SAGE-GROUSE HABITAT		
		Avoid[1]	**Minimize**	**Avoid[1]**	**Minimize**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**
					grouse habitat/section	n becomes available			available				• Follow USFWS Wind Energy Guidance	
Mining	Coal	NSO of 3.8 miles around active leks	• Subject to surface disturbance cap of 3% of suitable sage-grouse habitat/640 acres section • Offsite mitigation with *high* mitigation ratio	NSO of ≥1 mile around active leks	• Subject to surface disturbance cap of 5% of suitable sage-grouse habitat/640 acres •		• Coal mining operations will be allowed to continue under the Surface Mining Control and Reclamation Act	• Offsite with *high* mitigation ratio •		• Coal mining operations will be allowed to continue under the Surface Mining Control and Reclamation Act	• Offsite with *moderate* mitigation ratio •		• Coal mining operations will be allowed to continue under the Surface Mining Control and Reclamation Act	•
	All mining (coal, bentonite, etc.)	NSO of 3.8 miles around active leks	• Subject to surface disturbance cap of 3% of suitable sage-grouse habitat/640 acres • Offsite mitigation with *high* mitigation ratio	NSO of ≥1 mile around active leks	• Subject to surface disturbance cap of 5% of suitable sage-grouse habitat/640 acres	Avoid leasing in sage-grouse habitats until other suitable habitats can be restored to habitats used by sage-grouse	• Mining permits will include requirements for off-site mitigation that enhances or promotes genetic diversity, critical habitat, connectivity and population viability[4]	• Offsite with *high* mitigation ratio •		• Mining permits will include requirements for off-site mitigation that enhances or promotes genetic diversity, critical habitat, connectivity and population viability[4]	• Offsite with *moderate* mitigation ratio •			•
Oil and gas		NSO of 3.8 miles	• Subject to surface	NSO of ≥1 mile	• Subject to surface	No Surface	• Well pad densities	• Offsite with *high*		• Suspension of federal	• Offsite with *moderate*			•

THREAT CATEGORY	SUB-CATEGORY	FWP "STRAW DOG"				COUNCIL PRELIMINARY RECOMMENDATIONS								
		CORE AREA		GENERAL HABITAT		CORE AREA			IMPORTANT AREAS OF CONNECTIVITY			GENERAL SAGE-GROUSE HABITAT		
		Avoid[1]	**Minimize**	**Avoid[1]**	**Minimize**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**	**Avoid[1]**	**Minimize**	**Examples of Mitigation if Necessary[2]**
		around active leks	disturbance cap of 3% of suitable sage-grouse habitat/640 acres • Offsite mitigation with *high* mitigation ratio	around active leks	disturbance cap of 5% of suitable sage-grouse habitat/640 acres	Occupancy within 0.6 miles of occupied leks in core areas	not to exceed an average of 1 pad/640 acres (Cedar Creek Anticline core area exempted[5]) •	mitigation ratio • Require wildlife component in "wildcat" reclamation activities		and state leases in connectivity corridors is encouraged where there is mutual agreement by the leasing agency and the operator	mitigation ratio •			
Wildfire			• Develop criteria for managing fuels and other risks to sage-grouse habitat to reduce the risk of critical habitat loss • Re-vegetate burned sites within one year; emphasize native plant species		• Develop criteria for managing fuels and other risks to sage-grouse habitat to reduce the risk of critical habitat loss • Re-vegetate burned sites within one year; emphasize native plant species		•	•		•	•			•
Invasive Species			• Implement pro-active weed management • Reclamation should re-establish		• Implement pro-active weed management • Reclamatio		•	•		•	•			•

THREAT CATEGORY	SUB-CATEGORY	FWP "STRAW DOG"				COUNCIL PRELIMINARY RECOMMENDATIONS								
		CORE AREA		GENERAL HABITAT		CORE AREA			IMPORTANT AREAS OF CONNECTIVITY			GENERAL SAGE-GROUSE HABITAT		
		Avoid[1]	Minimize	Avoid[1]	Minimize	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]	Avoid[1]	Minimize	Examples of Mitigation if Necessary[2]
			native grasses, fobs and shrubs to achieve cover, species composition, and life form diversity commensurate with the surrounding plant community • Operator required to control noxious and invasive weed species, including cheatgrass		n should re-establish native grasses, fobs and shrubs to achieve cover, species composition, and life form diversity commensurate with the surrounding plant community • Operator required to control noxious and invasive weed species, including cheatgrass									

Notes:

1. Exception: Projects may be built in Core Areas if the proponent demonstrates to MFWP (consistency review for Executive Order XX) that the project will not cause declines in sage grouse populations. This may be done through the use of co-location with existing facilities (*need to define "co-location")* , proof that the proposed disturbance area within a designated Core Area is not suitable (e.g. small parcels of unsuitable habitat within overall core area boundary), etc.

2. Mitigation plans are subject to approval by MFWP under a consistency review associated with Executive Order XX. These plans must be comprehensive and based on best available science. Measures of mitigation success, along with a monitoring plan, must be included in any mitigation plan. Mitigation success that allows for unambiguous protection of sage grouse populations must be demonstrated prior to authorization to proceed with project construction.

3. Roads, or other disturbance activities that result in removal of sagebrush or sage grouse habitat, are subject to disturbance density constraints.

4. DEQ has regulatory authority for mining permits and can require this stipulation as part of permitting process.

5. Cedar Creek Anticline core area will be managed as a sage-grouse restoration area because of the extensive development that already exists (i.e., impacts to sage-grouse will have already occurred).

Assumptions:

1. Localized categorization of habitat quality may factor into mitigation planning.
2. The cost of actions may be a consideration in the evaluation of whether avoidance or mitigation is the most effective at protection of sage grouse populations.